IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 10271 of 1999

For Approval and Signature:

Hon'ble MR.JUSTICE R.R.TRIPATHI

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1. Whether Reporters of Local Papers may be allowed to see the judgements? : NO

2. To be referred to the Reporter or not? : NO

3. Whether Their Lordships wish to see the fair copy of the judgement? : NO

4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder? : NO

5. Whether it is to be circulated to the Civil Judge? : NO

SOMABHAI BHAGABHAI PATEL

Versus

DISTRICT PRIMARY EDUCATION OFFICER

Appearance:

HL PATEL ADVOCATES for Petitioner

Mr.Digant P. Joshi, AGP for Messrs Patel Advocates for Respondent No. 1, 2

CORAM : MR.JUSTICE R.R.TRIPATHI

Date of decision: 22/03/2000

ORAL JUDGEMENT :

With the consent of the parties, the matter is taken up for final disposal. An affidavit in reply on behalf of respondent no.2 is filed today, wherein it is stated that by letter dated 18.2.2000 bills for amounts

due to the petitioner have been forwarded to the Pension and Provident Fund Department for approval. As per the Govt. Resolution dated 8.1.1994, interest at the rate of 12% per annum is to be paid, if the payment of gratuity after three months from the date of retirement is not made. In the light of this it is stated by the learned AGP that papers for payment of pension, gratuity and commuted pension have been forwarded to respondent no.2. In that view of the matter, respondent no.2, Director of Pension and Provident Fund shall decide the claim of the petitioner along with the entitlement of the petitioner regarding interest on the late payment of outstanding dues latest by 30.4.2000.

2. With the aforesaid direction, the petition is disposed of. Rule is made absolute to the aforesaid extent with no orders as to costs.

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